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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3751 OF 2007

Nilesh Shamrao Surve .. Applicant

V/s

The State of Maharashtra .. Respondent

Mr.H.S. Venegaonkar i/b Mr.Vinod Wagh for the applicant.
Mr.Rajesh More, A.P.P. for the State.

CORAM : D.G. KARNIK, J.

DATE : 18TH DECEMBER 2007

P.C. :

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. The applicant seeks bail in connection with the crime registered against him under C.R. No.I-352/2007 with Ambarnath Police Station for the alleged offences punishable under sections 384, 385, 452 r/w 34 of the I.P.C.

3. The investigation in the crime is complete and the charge-sheet is filed. The applicant is in custody since 24th September 2007. Chances of commencement of hearing of the trial in near future are remote considering the present pendency in the concerned court. Recovery of mangalsutra was made from the co-accused and there being no recovery from the applicant. There is no previous conviction of the applicant. Considering all aforesaid circumstances and the age of the applicant who is 21 years old and the possibility of he being exposed to undesirable elements in jail and taking into consideration the fact that the applicant has a permanent place of residence with his parents at Ambarnath, I am of the view that the applicant is entitled to bail. In the circumstances, I pass the following order:-

ORDER

The applicant be released on bail on furnishing personal bond of Rs.25,000/- with two sureties of the like amount subject to the following conditions:

(a) The applicant shall not in any way tamper with the prosecution evidence and shall not make any attempt

to meet the complainant or her son.

(b) The breach of the above condition will result in cancellation of bail.

. The application is disposed of.

(D.G. KARNIK, J.)